#### REMARKS

Entry of the foregoing amendments, and reexamination and reconsideration of the subject application, pursuant to and consistent with 37 C.F.R. § 1.104 and § 1.112, and in light of the following remarks, are respectfully requested.

# Amendment, Rejection under §102(e), and Double Patenting Rejection

In the Office action, claim 3 was found allowable if rewritten in independent form. According, claim 3 has been cancelled and its substance incorporated into claim 1. Accordingly, all of the rejections can now be withdrawn.

A obvious typographical error in claim 2 is corrected.

The specification is amended to list the earlier-filed applications and the relationship.

# **Priority Claim**

A new declaration with the proper application history for the priority claim is submitted. As noted above, the specification is also amended to properly recite the priority claim with reference to U.S. and PCT applications.

# Previously-filed Information Disclosure Statement

The Office action alleges that JP 51-93146 does not comply with Rule 1.98(a)(3) because no explanation of its relevance, nor any translation, is provided. Submitted is a partial English translation of that publication, namely, of claims 1 and 2, a relevant paragraph, the description of Figs. 6 and 7, and the ordinate and abscissa of the same figures.

In light of the foregoing, withdrawal of the rejections and objections, is now believed to be in order, and such is earnestly solicited.

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Page 4 of 4

114GI-104B

Briefly Translation of JP-A-(Sho)51-93146

#### Claims:

- 1. A radio-wave absorbing composite material consisting of a mixture of rubber or high polymer, and at least two of ferromagnetic powders having frequency distribution properties of a complex permeability different from each other, said composite material having a frequency distribution property of a complex permeability which is bimodal or tri or more modal.
- 2. A radio-wave absorbing composite material consisting of a mixture of rubber or high polymer, at least one non-magnetic metal powder, and at least two of . ferromagnetic powders having frequency distribution properties of a complex permeability different from each other, said composite material having a frequency distribution property of a complex permeability which is bimodal or tri of more modal.

### Page 2, right-below paragraph, lines 3 to 14:

Description will be made as regards an embodiment of the present invention. Fig. 6 shows a frequency distribution properties a material parameter of a material made from a composite material, which is obtained by mixing a nickel Zinc ferrite powder and a carbonyl iron powder and further chloroprene rubber at a mixing ratio of 1.5:1.5:1.

2

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Fig. 6 represents a bimodal property in which  $\mu$  " has characteristics illustrating both of a ferrite and a carbonyl iron.

Fig. 7 represents an absorption property of the radio-wave absorbing composite. The adsorption property of the radio wave represents a bimodal property in correspondence to the bimodal property of  $\mu^{\,\prime\prime}$  and has an extremely wide frequency band at a thickness of 5mm.

English Translation of Figs. 7 and 8 will be attached hereto.

DEC-21-2004 18:24 FROM: BRADLEY N. RUBEN

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